

2014 REPORT ON TECHNICAL BARRIERS TO TRADE

UNITED STATES TRADE REPRESENTATIVE

April 2014

Country Reports

Argentina

Bilateral Engagement

The United States raises TBT matters with Argentina during WTO TBT Committee meetings.

Testing Requirements for Lead in Graphic Products (Resolution 453)

As previously reported in the 2013 TBT report, the United States continues to be concerned with Argentina's Resolution 453/2010, which requires all inks, lacquers and varnishes used in producing printed materials, such as package labeling and inserts, to undergo testing for lead content. Resolution 453/2010 required testing to be conducted in one of two designated laboratories in Argentina. The United States expressed concern during WTO TBT Committee meetings in November 2011 and March 2012 that this resolution appeared to apply to foreign producers only, and that Argentina's testing capacity was insufficient to perform all the required testing. The United States asserted that the situation, coupled with the inability to test these products in the country of production, would lead to significant delays, cost and burdens for industry.

In March 2012, Argentina notified an amendment to Resolution 453/2010. Under this amendment, Argentina temporarily accepted a sworn declaration from the producer or importer stating that the product, or group of similar products, complies with the applicable norm, ASTM D 3335-85a, in lieu of testing at the designated laboratories in Argentina. In September 2012, Argentina also exempted from Resolution 453/2010 testing requirements for all printed materials destined for distribution or use in fairs, exhibitions, or other events that are declared "of

interest” by the Ministry of Tourism. This alternative procedure, however, phased out in stages, and ended in November 2013.

Both the United States and the European Union raised concerns with this testing requirement during the March and June 2012 WTO TBT Committee meetings. The United States indicated that it continues to question whether mandatory third party testing should be required for these products since they are low risk, and whether it is necessary for the testing to be performed in Argentina itself or instead could be performed by any accredited laboratory. The United States will continue to press Argentina on this issue in 2014.

Electrical and Electronic Products – Conformity Assessment Procedures

Argentina’s new requirements for conformity assessment for electrical and electronic products, modifying Resolution 92/98, became effective January 1, 2013, but Argentina has not notified the resolution modification to the WTO. The modified Resolution 92/98 specifies the process by which foreign manufacturers and importers obtain the S-mark safety certification from local certification bodies. This certification is required to market electrical and electronic products between 50 and 52

1000 Vac in Argentina.

According to U.S. industry, changes to Resolution 92/98 impose repetitive testing and associated delays, resulting in costs for U.S. exporters that outweigh the purported safety benefits. An importer with a recognized foreign certificate that had served as a basis for certification under Resolution 92/98 must now also have the product tested locally. This requirement is mandatory for all electrical products, rather than a class of electrical products based on risk. In addition, industry reports that the requirements disproportionately impact foreign manufacturers and importers and favor domestic manufacturers. Failure to follow Resolution 92/98 results in products not clearing customs and entering Argentina’s market.

The United States will continue to press Argentina on this issue in 2014.

FULL REPORT: <https://ustr.gov/sites/default/files/2014%20TBT%20Report.pdf>